

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BENJAMIN WAGNER,

Plaintiff,

v.

DOUG WORSHAM,

Defendant.

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No. 4:15-CV-1362 CDP

**MEMORANDUM AND ORDER**

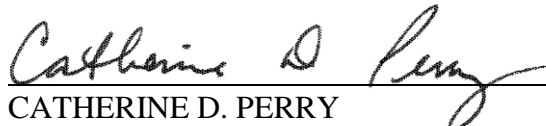
This matter is before the Court on plaintiff's motion to suspend his filing fee payments. Plaintiff requests an order from this Court to suspend his filing fee payments during the Christmas holidays in order for him to put money towards Christmas gifts for his children.

Although the Court has sympathy for plaintiff's wishes, it cannot order a reduction in his filing fee payments, as to do so would be a violation of federal law. Pursuant to 28 U.S.C. § 1915(b)(2), the Missouri Department of Corrections is required to remove twenty-percent (20%) of plaintiff's funds to pay his court filing fees when his account exceeds \$10. There is no exception in the statute for prisoners maintaining funds for personal use or gifts.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to suspend his filing fee payments [ECF No.18] is **DENIED**.

Dated this 1st day of December, 2016.

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE